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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,622

04/23/2007

Satoshi Washio

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NTT Mobile Communications Network I/BHGL

P.O. Box 10395

Chicago, IL 60610

EXAMINER

SARWAR, BABAR

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

02/03/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/583,622	Applicant(s) WASHIO ET AL.	
	Examiner BABAR SARWAR	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/23/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: **Communication Device for Controlling the use of content.**

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada et al. (US 2003/0135748 A1), hereinafter referenced as Yamada.

Consider claim 1, Yamada discloses a communication terminal (**Fig. 1 element 40, Portable Phone**), comprising: attachment means for attaching a module (**Para 0052, Fig. 1 element 50, UIM (User Identification Module)**), the module storing a user identification used in a communication network for identifying a user (**Para 0052, Fig. 3, element 504**); storage means that stores a content in correlation with the user identification (**Abstract, Fig. 3 element 504**). Yamada further teaches receiving means that receives a message to disable a use of the content stored in the storage means (**Abstract, Para 0005, 0007-0013, 0055, Fig. 2 elements 401a and 401**, where Yamada teaches restricting/disabling the use of contents based on satisfying

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certain conditions); interpreting means that interprets the message received by the receiving means (**Abstract, Para 0008, 0-012-0013, 0088-0090, Fig. 2 elements 401, 405 CPU, and Fig. 5, where Yamada discloses restricting content access**); determining means that obtains a user identification from the module, and determines whether the user identification obtained is stored in the storage means in correlation with the content that is specified to be disabled by the message interpreted by the interpreting means (**Abstract, Para 0005-0013, 0079-0090, Figs. 1-5, where Yamada teaches authorizing and un-authorizing the user from accessing the content based on qualification verification information**); and first control means (**Figs. 2, 3 CPU**) that controls the storage means (**Figs. 2, 3 elements 407 and 504**) according to the content of the message interpreted by the interpreting means to disable the use of the content that is specified to be disabled by the message interpreted by the interpreting means, only when the determining means has determined that the content that is specified to be disabled by the message interpreted by the interpreting means is stored in the storage means in correlation with the user identification obtained from the module (**Abstract, Para 0005-0013, 0071-0090, 0111-0127, Figs. 1-9, Yamada discloses various steps of authorization and un-authorization for having access to the content based on certain verification conditions**).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada in view of Philip J. Hayward (GB 2369205 A), hereinafter referenced as Philip.

Consider **claim 2**, Yamada discloses everything claimed as implemented above (see claim 1). However, Yamada fails to specifically teach that the first control means deletes the content that is to be disabled with the message interpreted by the interpreting means from the storage means. Philip discloses that the first control means deletes the content that is to be disabled with the message interpreted by the interpreting means from the storage means (**Abstract, Page 3 lines 10-14, Page 5 lines 4-23, Page 6 lines 1-8, Page 8 lines 1-7, and Page 11 lines 6-14, Page 14 lines 26-34, Page 15 lines 1-7, 11, Figs. 1, 2, 11-13**).

Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify Yamada by specifically providing that the first control means deletes the content that is to be disabled with the message interpreted by the interpreting means from the storage means, as taught by Philip, for purpose of providing greater security of stored personal data as discussed on **Page lines 21-22**.

Consider **claim 3**, Yamada discloses everything claimed as implemented above (see claim 1). In addition, Yamada specifically teaches a module control means that controls the module to store management data of disabling a use of the content that is specified to be disabled by the message interpreted by the interpreting means in correlation with the content that is to be disabled with the message interpreted by the interpreting means (**Abstract, Para 0005-0013, fig. 3**); and second control means that

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obtains the user identification from the module, and obtains from the module the management data corresponding to the content stored in correlation with the user identification obtained, and controls the storage means according to the management data to disable the use of the content stored in the storage means (**Abstract, Para 0005-0013, 0062-0090, Figs. 3-7, 11**).

Consider **claim 4**, Yamada discloses everything claimed as implemented above (see claim 3). In addition, Yamada specifically teaches that the module is controlled according to a type of the module (**Abstract, Para 0005, Fig. 3**).

Consider **claim 5**, Yamada discloses everything claimed as implemented above (see claim 3). In addition, Yamada specifically teaches that the second control means does not read from the storage means the content stored in the storage means, according to the management data (**Para 0233-0238, Figs. 25-26**).

Consider **claim 6**, Yamada discloses everything claimed as implemented above (see claim 3). However, Yamada fails to teach that the second control means controls the storage means, according to the management data, to delete the content specified to be disabled by the message interpreted by the interpreting means. Philip specifically teaches that the second control means controls the storage means, according to the management data, to delete the content specified to be disabled by the message interpreted by the interpreting means (**Abstract, Page 3 lines 10-14, Page 5 lines 4-23, Page 8 lines 1-7, Figs. 1, 2, 11-13**).

Therefore, it would have been obvious to one of ordinary skills in the art at the time the invention was made to modify Yamada by specifically providing that the second

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control means controls the storage means, according to the management data, to delete the content specified to be disabled by the message interpreted by the interpreting means, as taught by Philip, for purpose of providing greater security of stored personal data as discussed on **Page lines 21-22**.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BABAR SARWAR whose telephone number is (571)270-5584. The examiner can normally be reached on MONDAY TO FRIDAY 09:30 A.M -05:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NICK CORSARO can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/BS/

/BABAR SARWAR/
Examiner, Art Unit 2617

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617